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PATENT
Attorney Docket No. ACX-103CN5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Lazarus, et al.

SERIAL NO.: 09/837,773 GROUP NO.: 3741

FILING DATE: April 18, 2001 EXAMINER: Not Yet Assigned

TITLE: **PACKAGED STRAIN ACTUATOR**

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231 on this 18 day of January, 2002.

Heather Arsenault
Heather Arsenault

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith is/are:

Supplemental Information Disclosure Statement (2 pgs.), Form PTO-1449 (1 pg.), Transmittal Form (1 pg.), Return Receipt Postcard, all under this Certificate of First Class Mailing dated January 18, 2002.

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**TRANSMITTAL
FORM**

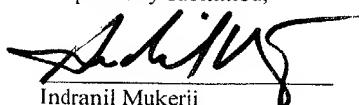


Application Serial Number	09/837
Filing Date	April 18, 2001
First Named Inventor	Lazarus
Group Art Unit	3741
Examiner Name	Not Yet Assigned
Attorney Docket No.	ACX-103CN5
BATCH NO. (after allowance)	Not applicable
Patent No.	Not applicable
Issue Date	Not applicable

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <ul style="list-style-type: none"> <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form 	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences
<input type="checkbox"/> Amendment/Response <ul style="list-style-type: none"> <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets _____] 	<input type="checkbox"/> Formal Drawing(s)	<input type="checkbox"/> Appeal Brief (in triplicate)
<input type="checkbox"/> Petition for Extension of Time	<input type="checkbox"/> Request For Continued Examination (RCE) Transmittal	<input type="checkbox"/> Status Inquiry
<input checked="" type="checkbox"/> Information Disclosure Statement <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations 	<input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)	<input checked="" type="checkbox"/> Return Receipt Postcard
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8
<input type="checkbox"/> Sequence Listing submission <ul style="list-style-type: none"> <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above 	<input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application	<input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8
	<input type="checkbox"/> Small Entity Statement	<input type="checkbox"/> Additional Enclosure(s) (please identify below)
	<input type="checkbox"/> CD(s) for large table or computer program	
	<input type="checkbox"/> Amendment After Allowance	
	<input type="checkbox"/> Request for Certificate of Correction <ul style="list-style-type: none"> <input type="checkbox"/> Certificate of Correction (in duplicate) 	

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CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100	<p>Respectfully submitted,</p> <p> Indranil Mukerji Attorney for Applicant(s) Testa, Hurwitz & Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110</p>



PATENT
Atty. Docket No. ACX-103CN5
(180/12)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Lazarus *et al.*

SERIAL NUMBER: 09/837,773 GROUP NUMBER: 3741

FILING DATE: April 18, 2001 EXAMINER: Not yet assigned

TITLE: **PACKAGED STRAIN ACTUATOR**

Assistant Commissioner for Patents
Washington, DC 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the patent application identified above. In accordance with the provisions of 37 C.F.R. § 1.98(d), copies of the references are not enclosed as these references were previously cited by, or submitted to, the U.S. Patent and Trademark Office in the prior application U.S.S.N. 08/188,145, which is relied upon for an earlier effective filing date under 35 U.S.C. § 120.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

(1) within three (3) months of the **filin** **g date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or

(2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and

the requisite Statement is below, **OR**

the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein,
or

(3) after the mailing date of a **final action or notice of allowance** but before the
payment of the **issue fee**, **AND**

the requisite Statement is below, **AND**

the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included
herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

FEE AUTHORIZATION

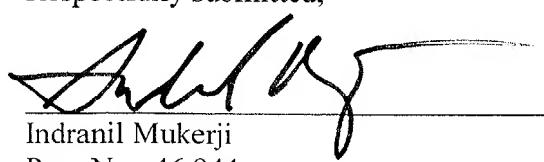
This submission is made before the mailing of a first Office action on the merits, and thus, Applicants believe that no fee is due with this submission. However, should any fee be due with this submission, the Commissioner is authorized to charge the fee to our Deposit Account, No. 20-0531.

Respectfully submitted,

Indranil Mukerji
1/18/02

Date

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